



**CITY OF SCOTTSDALE
McDOWELL SONORAN PRESERVE COMMISSION
REGULAR MEETING**

May 2, 2013

**Florence Ely Nelson Desert Park
8950 E. Pinnacle Peak Road
Scottsdale, AZ 85255**

PRESENT: James Heitel, Chairman
Fred Klein, Vice Chairman
Susan Wheeler, Commissioner
Marg Nelssen, Commissioner
Robert Frost, Commissioner
Mike Milillo, Commissioner

ABSENT: Con Englehorn, Commissioner

STAFF: Bill Murphy
Kroy Ekblaw
Scott Hamilton
Claire Miller
Robbin Schweitzer
Liz Hildenbrand
Rachel Smetana

GUESTS:	Mike Nolan	Judi Irons
	Jack McEnroe	Melanie Tluezek
	David Hay	Doreen O'Connell
	Howard Myers	Patrick O'Connell
	Rebecca Eickley	James Vista
	Ed Quihuis	Darrel Hood
	Sue Handke	
	Betty Miller	

1. **CALL TO ORDER**

Chairman Heitel called the meeting to order at 5:05 p.m.

2. **ROLL CALL**

Members present as noted above.

3. **PUBLIC COMMENT** (Begins at 5:05 p.m.; approximately 30 seconds into the meeting)

Betty Miller spoke about the Lost Dog Wash interpretive trail improvements, stressing the importance of minimizing impacts on washes and wildlife.

Howard Myers commended staff and volunteers for their efforts on the North Trails improvements.

4. **APPROVAL OF MINUTES** (Begins at 5:09 p.m.; approximately four minutes into the meeting)

Approval of the Regular Meeting minutes of April 4, 2013

COMMISSIONER FROST MOVED TO APPROVE THE APRIL 4, 2013 MCDOWELL SONORAN PRESERVE COMMISSION REGULAR MEETING MINUTES. SECONDED BY COMMISSIONER NELSEN, THE MOTION CARRIED BY A VOTE OF SIX (6) TO ZERO (0). COMMISSIONER ENGLEHORN WAS ABSENT.

5. **MCDOWELL SONORAN CONSERVANCY UPDATE** (Begins at 5:10 p.m.; approximately five minutes into the meeting)

Mr. Nolan gave an end-of-season update on the activities of the Conservancy, including information on patrol, construction and maintenance, Pathfinders, nature guides, the hike program, the Field Institute, and Steward orientation. almost 600 Stewards participated in the program this season.

6. **COMMERCIAL GUIDED TOURS - MOTORIZED** (Begins at 5:11 p.m.; approximately six minutes into the meeting)

Mr. Ekblaw reviewed the issues related to allowing commercial guided tours using motorized vehicles in the Preserve. He presented three options with possible alternatives that would allow Jeep tours to operate in the future.

The option for permanently allowing jeep tour operations would require an amendment to the Preserve Ordinance. The option to allow operations for a trial period is allowed under the existing Preserve Ordinance under the Special Use section. A revocable special use permit for jeep tours could be issued by the Preserve Director as long as educational purposes are being met. Applicants would be subject to a selection process based on specific criteria and would be permitted to operate for a trial period of one season from September 2013 until May 2014 under the existing commercial operator's policy and then return for an evaluation of statistics that would be gathered throughout the year in order to determine whether the operations could continue.

Commissioners were given the opportunity to ask questions and make comments.

Ed Quihuis from Arizona Classic Jeep Tour spoke about the educational and steward benefits that jeep tours offer.

Doreen O'Connell from Arizona Desert Events spoke about the educational and steward benefits that Jeep tours offer and discussed the rate structure that the jeep tour companies operate under.

Howard Myers spoke about compliance with the Preserve Ordinance and the danger of setting precedent when allowing motorized vehicles in the Preserve.

VICE-CHAIR KLEIN MOVED TO RECOMMEND TO CITY COUNCIL THAT THE PRESERVE ORDINANCE REMAIN UNCHANGED AND MOTORIZED VEHICLES NOT BE PERMITTED IN THE PRESERVE. COMMISSIONER MILILLO SECONDED THE MOTION.

Discussion ensued regarding the pros and cons of each option and the benefits that having the information gathered during the one-year trial period would have in making a decision of whether to allow jeep tours on a permanent basis.

THE MOTION TO RECOMMEND TO CITY COUNCIL THAT THE PRESERVE ORDINANCE REMAIN UNCHANGED AND MOTORIZED VEHICLES NOT BE PERMITTED IN THE PRESERVE FAILED WITH A TIE OF THREE (3) TO THREE (3). COMMISSIONERS WHEELER, NELSEN, AND FROST DISSENTED. COMMISSIONER ENGLEHORN WAS ABSENT.

COMMISSIONER FROST MOVED TO AUTHORIZE STAFF TO DEVELOP A TRIAL SPECIAL USE PERMIT PERIOD OF NINE MONTHS NOTING PERMITS WOULD BE REVOCABLE, TOURS MUST PROVE EDUCATIONAL BASIS, AND THAT THE PROCESS SHOULD BE BASED ON EXISTING COMMERCIAL OPERATORS POLICY INCLUDING COMPLIANCE WITH ALL OTHER ORDINANCE AND POLICY REQUIREMENTS. COMMISSIONER NELSEN SECONDED THE MOTION.

Commissioners discussed the motion.

THE MOTION TO AUTHORIZE STAFF TO DEVELOP A TRIAL SPECIAL USE PERMIT PERIOD OF NINE MONTHS NOTING PERMITS WOULD BE REVOCABLE, TOURS MUST PROVE EDUCATIONAL BASIS, AND THAT THE PROCESS SHOULD BE BASED ON EXISTING COMMERCIAL OPERATORS POLICY INCLUDING COMPLIANCE WITH ALL OTHER ORDINANCE AND POLICY REQUIREMENTS FAILED WITH A VOTE OF THREE (3) TO THREE (3). CHAIR HEITEL, VICE-CHAIR KLEIN, AND COMMISSIONER MILILLO DISSENTED. COMMISSIONER ENGLEHORN WAS ABSENT.

The Commission directed staff to gather additional information to be presented during the June meeting.

The Commission took a five-minute break.

7. **DDC UPDATE** (Begins at 6:18 p.m.; approximately 1 hour and 13 minutes into the meeting)

Mr. Ekblaw gave an update on the Phase III Committee's discussions about possible alternate sites for the DDC. The Committee recommended three sites for consideration: the Gateway if the DDC is to be within the Preserve boundaries, the 94th and Bell site, and the Pima and Dynamite site; and recommended that the City partner with an outside operator.

Brief discussion ensued regarding the recommended sites and the options for financing the purchase of land outside of the Preserve.

8. **FUTURE LAND ACQUISITION PRIORITIES IN THE NORTH AREA** (Begins at 6:25 p.m.; approximately 1 hour and 20 minutes into the meeting)

Mr. Ekblaw presented the refined map of priorities, which had each priority area broken down into subsections for purposes of presentation to the State Land Department.

Commissioners were given the opportunity to ask questions.

COMMISSIONER WHEELER MOVED TO ACCEPT THE MAP OF FUTURE LAND ACQUISITION PRIORITIES IN THE NORTH AREA AS PRESENTED AND TO DIRECT STAFF TO TAKE STEPS TO MOVE FORWARD WITH PARCEL 1. COMMISSIONER FROST SECONDED THE MOTION, WHICH CARRIED SIX (6) TO ZERO (0). COMMISSIONER ENGLEHORN WAS ABSENT.

Mr. Ekblaw noted that the 2013 appraisals are being done and that a developability analysis has been completed.

9. **STAFF REPORTS** (Begins at 6:36 p.m.; approximately 1 hour and 31 minutes into the meeting)

- Project updates - north Area Access and trails

Ms. Hildenbrand gave an update on the Brown's Ranch Trailhead, Granite Mountain, Lone Mountain, the Jane Rau Trail, and Fraesfield trail. She noted that the trail contractors are nearing completion of Phase I and have reported a significant decline in motorized activity as the fencing is being installed.

Mr. Ekblaw discussed the third-quarter financial update.

10. **COMMISSIONER COMMENTS**

There were no Commissioner comments.

11. **AGENDA ITEMS FOR JUNE 6, 2013**

- DDC Update
- Future Acquisition Priorities
- Commercial Guided Tours - Motorized - If needed

- Future Land Cost Benefit Study Process - Spring/Summer

12. ADJOURNMENT

The meeting adjourned at 6:46 p.m.

Respectfully submitted,
A/V Tronics, Inc. DBA AVTranz.